REMARKS/DISCUSSION OF ISSUES

The Examiner's acceptance of the drawings is acknowledged with appreciation.

Claims 1-19 are rejected. Claims 18 and 19 are objected to.

Claims 1 and 7 are currently amended. Claims 2 and 8 are cancelled. Claims 1, 3-7 and 9-19 are pending in the application.

Claims 18 and 19 are objected to because 'closet' should be 'closest'. These changes have been made by the current amendment.

Claims 1-12 and 16-19 are rejected under 35 USC 102(e) as being anticipated by Chim (U.S. patent 6,275,258).

Chim discloses a voice responsive image tracking system, which continuously tracks sound emitting objects by providing sound sensing means and a processor for directing a camera toward the sound source. See col. 3, line 36 through col. 4, line 3.

Preferably, Chim's camera has a wide field of view, enabling scaling and cropping of an image without the need to reposition the camera for framing a speaker, as in teleconferencing. See col. 4, lines 16-23.

The relative signal levels of the sound sensing means, e.g., microphones, are continuously monitored for movement of the speaker for panning or zooming the camera, or both. See col. 4, lines 40-42.

However, Chim does not provide for determining any high level parameters of an object other than its position, and does not provide for camera parametrics other than pan and zoom. Chim's scaling and cropping is performed without moving the

camera, and thus these operations do not constitute camera
parametrics.

In order to make this distinction more clear, claims 1 and
7 are currently amended to incorporate the limitations of
claims 2 and 8, respectively, and claims 2 and 8 are cancelled.

Since Chim does not disclose any camera parametrics other
than pan and zoom, Chim fails to anticipate the rejected
claims, and it is urged that the rejection be withdrawn.

Regarding claims 3 and 9, Chim is not able to determine
the number of objects in a scene. Chim only provides for
determining the location of an object based on sounds detected
from that object.

Thus, Chim states at col. 4, lines 63-67, that 'Using
triangulation techniques and stereophonic microphones, the
present invention provides a natural transition when tracking
different speakers and is able to precisely determine **the
position of each speaker when they are talking.**' (emphasis
added).

Regarding claims 5 and 11, Chim does not disclose speech
recognition, but only audio detection via one or more
microphones. Speech recognition is commonly understood to mean
conversion of speech to digital signals, not audio signals.

Regarding claim 18, Chim does not disclose, literally or
inherently, determining the object closest to a predetermined
location in the image. Chim merely detects the position of an
object based on calculating the position (e.g., by
triangulation) of an object based on the sound issuing from
that object. Thus, the camera is instructed to pan to that
location. There is no need, and indeed, Chim does not teach, to
determine the distance of one object from another.

Regarding claim 19, Chim does not disclose, literally or

inherently, determining the object closest to the center of the image. Chim merely detects the position of an object based on calculating the position (e.g., by triangulation) of an object based on the sound issuing from that object. Thus, the camera is instructed to pan to that location. There is no need, and indeed, Chim does not teach, to determine the distance of one object from another.

In summary, claims 1, 3-7, 9-12 and 16-19 are not anticipated by Chim, and it is urged that the rejection is in error and should be withdrawn.

Claims 13-15 are rejected under 35 USC 103(a) over Chim, as applied to claim 7 above.

Although Chim does not disclose outputting the criterea for camera movement through a serial connection, a parallel connection or a network, the Examiner takes Official Notice that such outputting would have been obvious to one of ordinary skill in the art.

As stated in MPEP section 2144(3),

Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. As noted by the court in *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ 418, 420 (CCPA 1970), the notice of facts beyond the record which may be taken by the examiner must be "capable of such instant and unquestionable demonstration as to defy dispute".

The Examiner's contention that outputting the criteria for camera movement over a serial connection, or a parallel connection, or a network, would be well-known is not capable of instant and unquestionable demonstration as to defy dispute, and thus cannot be supported by taking official notice, but only by citing a written reference in support thereof.

Accordingly, it is urged that the rejection of claims 13-

15 under 35 USC 103(a) is in error and should be withdrawn.

In view of the above arguments and amendments, Applicant urges that all of the pending claims are allowable, and respectfully requests that the Examiner withdraw the objections and rejections of record, allow all the pending claims, and find the application to be in condition for allowance.

Respectfully submitted,
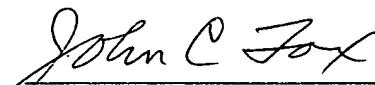
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